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CONSTITUTION

(FUNDAMENTAL LAW)

of the

UKRAINIAN

SOVIET SOCIALIST

REPUBLIC

of January 30, 1937

As Amended Through November 21, 1949

April 1950 50¢

American Russian Institute

58 Park Avenue New York 16, New York

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Chapter I. The Social Structure

642 Art. 1. The Ukrainian Soviet Socialist Republic is a socialist state of workers and peasants.

Art. 2. The Soviets of Working People's Deputies which grew and attained strength as a result of the overthrow of the power of the landlords and capitalists, the setting up of the dictatorship of the proletariat, the liberation of the Ukrainian people from national oppression by Tsarism and by the Russian imperialist bourgeoisie and the defeat of the nationalist counter-revolution constitute the political foundation of the Ukrainian SSR.

Art. 3. In the Ukrainian SSR all power belongs to the working people of town and country as represented by the Soviets of Working People's Deputies.

471 Art. 4. The economic foundation of the Ukrainian SSR is the socialist system of economy and the socialist ownership of the means and instruments of production established as the result of the abolition of the capitalist system of economy, the abrogation of private ownership of the means and instruments of production and the elimination of the exploitation of man by man.

Art. 5. Socialist property in the Ukrainian SSR exists either in the form of State property (the possession of the whole people), or in the form of co-operative and collective farm property (the possession of collective farms or co-operative associations).

475 Art. 6. The land, its natural deposits, waters, forests, mills, factories,
421 mines, rail, water and air transport, banks, communications, large State-organized agricultural enterprises (State farms, machine and tractor stations and the like), as well as municipal enterprises and the bulk of houses in the cities and industrial localities, are State property, that is belong to the whole people.

474 Art. 7. The common enterprises of collective farms and co-operative organiza-
421 tions with their livestock and implements, and the products of the collective farms and co-operative organizations, as well as their common buildings, constitute the common, socialist property of collective farms and co-operative organizations.

In addition to its basic income from the common collective farm
[472] enterprise, every household in a collective farm has for its personal use a small plot of household land and, as its personal property, a subsidiary husbandry on the plot, a dwelling house, livestock, poultry and minor agricultural implements — in accordance with the regulations of the agricultural artel.

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423 Art. 8. The land occupied by collective farms is secured to them free of charge
479 and for an unlimited time, that is, in perpetuity.

479 Art. 9. Alongside the socialist system of economy in the Ukrainian SSR the law permits the private economy of individual peasants and artisans based on their own work and precluding the exploitation of the labour of others.

421 Art. 10. The right of citizens to personal ownership of their incomes from work and of their savings, of their dwelling houses and subsidiary household economy, their household furniture and utensils, articles of personal use and convenience, as well as the right of inheritance of personal property of citizens, is protected by law.

185 Art. 11. The economic life of the Ukrainian SSR is determined and directed by
471 the State National Economic Plan with the aim of increasing the public wealth, of steadily improving the material and cultural level of the working people and of consolidating the independence of the socialist country and strengthening its defensive capacity.

461 Art. 12. In the Ukrainian SSR work is a duty and a matter of honour for every able-bodied citizen, in accordance with the principle: "He who does not work, neither shall he eat."

The principle applied in the Ukrainian SSR is that of socialism: "From each according to his ability, to each according to his work."

Chapter II. The State Structure

642 Art. 13. For the purpose of mutual assistance among the Union Republics along economic and political lines, as well as along the line of defence, the Ukrainian SSR voluntarily united with the other equal Soviet Socialist Republics, namely:

The Russian Soviet Federative Socialist Republic,
The Byelorussian Soviet Socialist Republic,
The Uzbek Soviet Socialist Republic,
The Kazakh Soviet Socialist Republic,
The Georgian Soviet Socialist Republic,
The Azerbaijan Soviet Socialist Republic,
The Lithuanian Soviet Socialist Republic,
The Moldavian Soviet Socialist Republic,
The Latvian Soviet Socialist Republic,
The Kirghiz Soviet Socialist Republic,
The Tajik Soviet Socialist Republic,
The Armenian Soviet Socialist Republic,
The Turkmen Soviet Socialist Republic,
The Estonian Soviet Socialist Republic and
The Karelo-Finnish Soviet Socialist Republic

in a federal state, the Union of Soviet Socialist Republics.

Proceeding from the aforesaid, the Ukrainian SSR ensures to the USSR, as represented by its higher organs of state power and organs of state administration, the rights defined in Article 14 of the Constitution of the USSR.

Outside of the spheres set forth in Article 14 of the Constitution of the USSR, the Ukrainian SSR exercises state authority independently, retaining its sovereign rights in full.

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[42] Art. 14. The Ukrainian SSR reserves the right freely to secede from the Union of Soviet Socialist Republics.

Art. 15. The territory of the Ukrainian SSR may not be altered without its consent.

[Ed] Art. 15a. The Ukrainian SSR has its own Republican military formations.

[49] Art. 15b. The Ukrainian SSR has the right to enter into direct relations with foreign states and to conclude agreements and exchange diplomatic and consular representatives with them.

Art. 16. The laws of the USSR are binding within the territory of the Ukrainian SSR.

[41] Art. 17. Every citizen of the Ukrainian SSR is a citizen of the USSR. Citizens of all other Union Republics enjoy on the territory of the Ukrainian SSR equal rights with citizens of the Ukrainian SSR.

63 Art. 18. The Ukrainian SSR consists of the Vinnitsa, Volhynia, Voroshilovgrad, Dniepropetrovsk, Drohobych, Zhitomir, Transcarpathian, Zaporozhye, Izmail, Kamenets-Podolsk, Kiev, Kirovograd, Lvov, Nikolayev, Odessa, Poltava, Rovno, Stalino, Stanislav, Sumi, Ternopol, Kharkov, Kherson, Chernigov and Chernovitsi Regions.

Art. 19. The jurisdiction of the Ukrainian SSR, as represented by its higher organs of state power and organs of state administration, embraces:

a) Adoption of the Constitution of the Ukrainian SSR and control over its observance;

b) Submission of the formation of new regions constituting part of the Ukrainian SSR to the Supreme Soviet of the USSR for confirmation;

c) Establishment of the boundaries, and of the division into districts, of regions;

d) Legislation of the Ukrainian SSR;

e) Maintenance of public order and safeguarding the rights of citizens;

f) Approval of the national-economic plan of the Ukrainian SSR;

g) Approval of the state budget of the Ukrainian SSR and of the report on its fulfilment;

h) Determination of state and local taxes, imposts and non-tax revenues in conformity with the laws of the USSR;

i) Direction of the fulfilment of the local budgets of the regions;

j) Direction of insurance and savings;

k) Administration of the banks, industrial, agricultural and trading enterprises and organizations subordinate to the Republic, as well as direction of local industry;

l) Control and superintendence of the condition and administration of enterprises subordinate to the Union;

m) Establishment of the procedure governing the use of land, mineral wealth, forests and waters;

n) Direction of dwelling houses and the municipal economy, dwelling house construction and the modernization of cities and other inhabited places;

o) Road building; direction of local transport and communications;

p) Labour legislation;

q) Direction of social maintenance;

r) Direction of elementary, secondary and higher education;

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642 s) Direction of the cultural, educational and scientific organizations and institutions of the Ukrainian SSR, and administration of the cultural, educational and scientific organizations and institutions of all-Republican importance;

t) Direction of public health and administration of institutions of public health of all-Republican importance;

u) Direction and organization of physical culture and sports;

v) Organization of the judicial organs of the Ukrainian SSR;

w) Granting the rights of citizenship of the Ukrainian SSR;

x) Legislation concerning marriage and the family;

y) Amnesty and pardon of citizens convicted by judicial organs of the Ukrainian SSR;

z) Organization of the military formations of the Ukrainian SSR;

aa) Establishment of the representation of the Ukrainian SSR in international relations.

Chapter III. The Higher Organs of State Power of the Ukrainian Soviet Socialist Republic

646 Art. 20. The highest organ of state power in the Ukrainian SSR is the Supreme Soviet of the Ukrainian SSR.

Art. 21. The Supreme Soviet of the Ukrainian SSR is elected for a term of four years by the citizens of the Ukrainian SSR voting by election districts on the basis of one deputy for every 100,000 of the population.

Art. 22. The Supreme Soviet of the Ukrainian SSR exercises all rights vested in the Ukrainian SSR in accordance with Articles 13 and 19 of the Constitution of the Ukrainian SSR, in so far as they do not, by virtue of the Constitution, come within the jurisdiction of organs of the Ukrainian SSR that are accountable to the Supreme Soviet of the Ukrainian SSR, that is, the Presidium of the Supreme Soviet of the Ukrainian SSR, the Council of Ministers of the Ukrainian SSR, and the Ministries of the Ukrainian SSR.

Art. 23. The Supreme Soviet of the Ukrainian SSR is the sole legislative organ of the Ukrainian SSR.

Art. 24. A law is considered adopted if passed by the Supreme Soviet of the Ukrainian SSR by a simple majority vote.

[643] Art. 25. Laws passed by the Supreme Soviet of the Ukrainian SSR are published over the signatures of the President and Secretary of the Presidium of the Supreme Soviet of the Ukrainian SSR.

Art. 26. The Supreme Soviet of the Ukrainian SSR elects a Chairman of the Supreme Soviet and two Vice-Chairmen.

Art. 27. The Chairman of the Supreme Soviet of the Ukrainian SSR presides at the sittings of the Supreme Soviet of the Ukrainain SSR and has charge of the conduct of its business and proceedings.

643 Art. 28. The Supreme Soviet of the Ukrainian SSR elects the Presidium of the Supreme Soviet of the Ukrainian SSR, consisting of a President of the Presidium of the Supreme Soviet of the Ukrainian SSR, two Vice-Presidents, a Secretary of the Presidium and fifteen members of the Presidium of the Supreme Soviet of the Ukrainian SSR.

1 [Cf. cat. 116, p. 2-4--Analyst]

[Ukranian constitution as of Nov. 21, 1949]

643 Art. 29. The Presidium of the Supreme Soviet of the Ukrainian SSR is accountable to the Supreme Soviet of the Ukrainian SSR for all its activities.

Art. 30. The Presidium of the Supreme Soviet of the Ukrainian SSR:

a) Convenes the sessions of the Supreme Soviet of the Ukrainian SSR;

b) Issues decrees;

c) Gives interpretations of the laws of the Ukrainian SSR in operation;

d) Conducts nation-wide polls (referendums);

e) Annuls decisions and orders of the Council of Ministers of the Ukrainian SSR and likewise decisions and orders of the regional Soviets of Working People's Deputies, if they do not conform to law;

f) In the intervals between sessions of the Supreme Soviet of the Ukrainian SSR, releases and appoints Ministers of the Ukrainian SSR, on the recommendation of the Chairman of the Council of Ministers of the Ukrainian SSR, subject to subsequent confirmation by the Supreme Soviet of the Ukrainian SSR;

g) Grants the rights of citizenship of the Ukrainian SSR;

h) Confers titles of honour of the Ukrainian SSR and grants awards;

i) Exercises the right of pardoning citizens convicted by judicial organs of the Ukrainian SSR;

j) Appoints and recalls diplomatic representatives of the Ukrainian SSR to foreign states;

k) Receives the letters of credence and recall of diplomatic representatives accredited to it by foreign states.

643 646 Art. 31. Sessions of the Supreme Soviet of the Ukrainian SSR are convened by the Presidium of the Supreme Soviet of the Ukrainian SSR twice a year.

Extraordinary sessions are convened by the Presidium of the Supreme Soviet of the Ukrainian SSR at its discretion or on the demand of one-third of the deputies to the Supreme Soviet of the Ukrainian SSR.

646 Art. 32. The Supreme Soviet of the Ukrainian SSR elects a Credentials Committee to verify the credentials of the members of the Supreme Soviet of the Ukrainian SSR.

On the report of the Credentials Committee, the Supreme Soviet of the Ukrainian SSR decides whether to recognize the credentials of deputies or to annul their election.

Art. 33. The Supreme Soviet of the Ukrainian SSR, when it deems necessary, appoints commissions of investigation and audit on any matter.

It is the duty of all institutions and officials to comply with the demands of such commissions and to submit to them all necessary materials and documents.

Art. 34. A member of the Supreme Soviet of the Ukrainian SSR may not be prosecuted or arrested without the consent of the Supreme Soviet of the Ukrainian SSR, or, when the Supreme Soviet of the Ukrainian SSR is not in session, without the consent of the Presidium of the Supreme Soviet of the Ukrainian SSR.

643 646 [666] Art. 35. On the expiration of the term of office of the Supreme Soviet of the Ukrainian SSR, the Presidium of the Supreme Soviet of the Ukrainian SSR orders new elections to be held within a period not exceeding two months from the date of expiration of the term of office of the Supreme Soviet of the Ukrainian SSR.

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643 Art. 36. On the expiration of the term of office of the Supreme Soviet of
646 the Ukrainian SSR, the Presidium of the Supreme Soviet of the Ukrainian SSR retains its powers until the newly-elected Supreme Soviet of the Ukrainian SSR shall have formed a new Presidium of the Supreme Soviet of the Ukrainian SSR.

Art. 37. The newly-elected Supreme Soviet of the Ukrainian SSR is convened by the outgoing Presidium of the Supreme Soviet of the Ukrainian SSR not later than three months after the elections.

645 Art. 38. The Supreme Soviet of the Ukrainian SSR appoints the Government
[644] of the Ukrainian SSR, namely, the Council of Ministers of the Ukrainian SSR.

Chapter IV. The Organs of State Administration of the Ukrainian Soviet Socialist Republic

Art. 39. The highest executive and administrative organ of state power of the Ukrainian SSR is the Council of Ministers of the Ukrainian SSR.

Art. 40. The Council of Ministers of the Ukrainian SSR is responsible and accountable to the Supreme Soviet of the Ukrainian SSR, or, in the intervals between sessions of the Supreme Soviet of the Ukrainian SSR, to the Presidium of the Supreme Soviet of the Ukrainian SSR.

Art. 41. The Council of Ministers of the Ukrainian SSR issues decisions and orders on the basis and in pursuance of the laws in operation of the USSR and the Ukrainian SSR, and of the decisions and orders of the Council of Ministers of the USSR, and verifies their execution.

Art. 42. Decisions and orders of the Council of Ministers of the Ukrainian SSR are binding throughout the territory of the Ukrainian SSR.

Art. 43. The Council of Ministers of the Ukrainian SSR:

a) Coordinates and directs the work of the Ministries of the Ukrainian SSR and of other institutions under its jurisdiction; coordinates and verifies the work of the authorised representatives of the all-Union Ministries;

b) Adopts measures to carry out the national-economic plan;

c) Adopts measures to fulfil the state and local budgets of the Ukrainian SSR;

d) Adopts measures for the maintenance of public order, for the protection of the interests of the state, and for the safeguarding of the rights of citizens;

e) Directs and verifies the work of the Executive Committees of the regional Soviets of Working People's Deputies;

f) Sets up, whenever necessary, special Committees and Central Administrations under the Council of Ministers of the Ukrainian SSR for economic and cultural affairs;

g) Directs the organization of the military formations of the Ukrainian SSR;

h) Exercises guidance in the sphere of the relations of the Ukrainian SSR with foreign states, on the basis of the general procedure established by the USSR governing the relations of Union Republics with foreign states.

Art. 44. The Council of Ministers of the Ukrainian SSR has the right to annul decisions and orders of Executive Committees of regional Soviets of Working

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645 People's Deputies and likewise to suspend decisions and orders of regional Soviets of Working People's Deputies.

The Council of Ministers of the Ukrainian SSR has the right to annul orders and instructions of Ministers of the Ukrainian SSR.

Art. 45. The Council of Ministers of the Ukrainian SSR is appointed by the Supreme Soviet of the Ukrainian SSR and consists of:

The Chairman of the Council of Ministers of the Ukrainian SSR;
The Vice-Chairmen of the Council of Ministers of the Ukrainian SSR;
The Chairman of the Planning Commission of the Ukrainian SSR;
The Ministers of the Ukrainian SSR, namely:
- The Minister of Motor Transport
- The Minister of Internal Affairs
- The Minister of State Control
- The Minister of State Security
- The Minister of the Housing Construction Industry
- The Minister of Foreign Affairs
- The Minister of the Armed Forces
- The Minister of Cinematography
- The Minister of the Municipal Economy
- The Minister of Light Industry
- The Minister of Forestry
- The Minister of the Timber and Paper Industry
- The Minister of the Furniture and Carpentry Industries
- The Minister of the Local Fuel Industry
- The Minister of Local Industry
- The Minister of the Meat and Dairy Industry
- The Minister of Education
- The Minister of Public Health
- The Minister of the Building Materials Industry
- The Minister of State Farms
- The Minister of the Fish Industry
- The Minister of Agriculture
- The Minister of Social Maintenance
- The Minister of Trade
- The Minister of Finance
- The Minister of the Food Industry
- The Minister of Justice

The Chairman of the Committee on Cultural and Educational Institutions;
The Chairman of the Committee on Arts;
The Chief of the Administration of Higher Education.

Art. 46. The Ministers of the Ukrainian SSR direct the branches of state administration which come within the jurisdiction of the Ukrainian SSR.

Art. 47. The Ministries of the Ukrainian SSR are either Union-Republican or Republican Ministries.

Art. 48. The following Ministries of the Ukrainian SSR are Union-Republican Ministries of the Ukrainian SSR:
- The Ministry of Internal Affairs
- The Ministry of State Control
- The Ministry of State Security
- The Ministry of Foreign Affairs
- The Ministry of the Armed Forces

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The Ministry of Cinematography
The Ministry of Light Industry
The Ministry of Forestry
The Ministry of the Timber and Paper Industry
The Ministry of the Meat and Dairy Industry
The Ministry of Public Health
The Ministry of the Building Materials Industry
The Ministry of the Fish Industry
The Ministry of the Food Industry
The Ministry of State Farms
The Ministry of Agriculture
The Ministry of Trade
The Ministry of Finance
The Ministry of Justice

Art. 49. The following Ministries of the Ukrainian SSR are Republican Ministries:

The Ministry of the Housing Construction Industry
The Ministry of Motor Transport
The Ministry of the Furniture and Carpentry Industries
The Ministry of the Municipal Economy
The Ministry of Local Industry
The Ministry of the Local Fuel Industry
The Ministry of Education
The Ministry of Social Maintenance.

Art. 50. The Ministers of the Ukrainian SSR, within the limits of the jurisdiction of their respective Ministries, issue orders and instructions on the basis and in pursuance of the laws in operation of the USSR and the Ukrainian SSR, of the decisions and orders of the Council of Ministers of the USSR and the Council of Ministers of the Ukrainian SSR and of the orders and instructions of the Union-Republican Ministries of the USSR, and verify their execution.

Art. 51. Each Union-Republican Ministry of the Ukrainian SSR directs the branch of state administration of the Ukrainian SSR entrusted to it, with the exception of only a limited number of enterprises, according to a list confirmed by the Presidium of the Supreme Soviet of the USSR, and is subordinate both to the Council of Ministers of the Ukrainian SSR and the corresponding Union-Republican Ministry of the USSR.

Art. 52. Each Republican Ministry of the Ukrainian SSR directs the branch of state administration entrusted to it and is directly subordinate to the Council of Ministers of the Ukrainian SSR.

Art. 53. The Government of the Ukrainian SSR or a Minister of the Ukrainian SSR to whom a question of a member of the Supreme Soviet of the Ukrainian SSR is addressed must give a verbal or written reply in the Supreme Soviet of the Ukrainian SSR within a period not exceeding three days.

Chapter V. The Local Organs of State Power

631 Art. 54. The organs of state power in regions, areas, districts, cities, settlements and villages are the Soviets of Working People's Deputies.

Art. 55. The Soviets of Working People's Deputies of regions, areas, districts, cities, districts in big cities, settlements and villages are elected by the

631 working people of the respective regions, areas, districts, cities, settlements villages for a term of two years.

Art. 56. The Soviets of Working People's Deputies of regions, areas, district cities, settlements and villages direct cultural, political and economic affairs on their territory, draw up the local budgets, direct the work of the organs of administration subordinate to them, ensure the maintenance of public order, assist in strengthening the defensive capacity of the country and ensure the observance of the laws and the protection of the rights of citizens.

Art. 57. The Soviets of Working People's Deputies adopt decisions and issue orders within the limits of the powers vested in them by the laws of the USSR and the Ukrainian SSR.

Art. 58. The executive and administrative organ of the Soviet of Working People's Deputies of a region, area, district, city, settlement or village is the Executive Committee elected by it, consisting of a Chairman, Vice-Chairman, a Secretary and members.

Art. 59. The executive and administrative organ of the Soviet of Working People's Deputies in a small locality is the Chairman, the Vice-Chairman and the Secretary elected by the Soviet of Working People's Deputies.

Art. 60. The Executive Committee of the Soviet of Working People's Deputies of a region, area, district, city, settlement or village exercises guidance in cultural, political and economic affairs within its territory on the basis of decisions taken by the corresponding Soviet of Working People's Deputies and superior state organs.

Art. 61. Sessions of regional Soviets of Working People's Deputies are convened by their respective Executive Committees not less than four times a year.

Art. 62. Sessions of district and area Soviets of Working People's Deputies are convened by their respective Executive Committees not less than six times a year.

Art. 63. Sessions of Soviets of Working People's Deputies of cities, settlements and villages are convened by their respective executive organs not less than once a month.

Art. 64. The Soviets of Working People's Deputies of regions, areas, districts, cities or districts in big cities each elect a Chairman and a Secretary for the duration of their sessions to conduct the sittings of the sessions.

Art. 65. The Chairman of a settlement or village Soviet convenes the Soviet and conducts its sittings.

Art. 66. The executive organs of the Soviets of Working People's Deputies are directly accountable both to the Soviets of Working People's Deputies which elected them and to the executive organs of the respective superior Soviets of Working People's Deputies.

Art. 67. The superior Executive Committees of the Soviets of Working People's Deputies have the right to annul decisions and orders of inferior Executive Committees and to suspend decisions and orders of inferior Soviets of Working People's Deputies.

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631 Art. 68. The superior Soviets of Working People's Deputies have the right to annul decisions and orders of inferior Soviets of Working People's Deputies and of their Executive Committees.

634 Art. 69. The regional Soviets of Working People's Deputies set up the following Departments and Administrations of their Executive Committees:

a Department of Cultural and Educational Work
a Department of Art
a General Department
a Department of the Municipal Economy
a Department of Local Industry
a Department of Public Education
a Department of Public Health
a Department of Social Maintenance
a Department of Trade
a Department of Finance
a Department of Roads

and the following Administrations:

a Cinematographic Administration
a Light Industry Administration
a Local Fuel Industry Administration
an Agricultural Administration
a Food Industry Administration
a Planning Commission
a Cadres Sector

under the Chairman of the Executive Committee and, in addition, in accordance with the specific features of the economy of the Region, the regional Soviets of Working People's Deputies set up the following Departments, subject to confirmation by the Union-Republican Ministries of the Timber Industry, Meat and Dairy Industry, Building Materials Industry, Fish Industry and Textile Industry:

a Department of the Timber Industry
a Department of the Meat and Dairy Industry
a Department of the Building Materials Industry
a Department of the Fish Industry
a Department of the Textile Industry.

625 Art. 70. The Ministry of Internal Affairs, the Ministry of State Security and the Ministry of Justice of the Union set up their own administrations under the regional Soviets of Working People's Deputies, in accordance with the conditions of the region and on the basis of the laws of the Union of Soviet Socialist Republics and the Ukrainian Soviet Socialist Republic.

Art. 71. The Departments and Administrations of the regional Soviets of Working People's Deputies are subordinate in their activities both to the corresponding regional Soviets of Working People's Deputies and their Executive Committees and to the corresponding Ministries of the Ukrainian SSR.

Art. 72. The area Soviets of Working People's Deputies and their Executive Committees carry on their work on the basis of the laws voted by the Supreme Soviet of the Ukrainian SSR, decrees of the Presidium of the Supreme Soviet of the Ukrainian SSR, decisions and orders of the Council of Ministers of the Ukrainian SSR and orders of the Regional Soviet of Workers' Deputies and their Executive Committees.

632 Art. 73. The district Soviets of Working People's Deputies set up the following Departments of their Executive Committees:

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a Department of Cultural and Educational Work
a Department of Roads
a Department of Public Health
a Department of Public Education
a General Department
a Department of Agriculture
a Department of Social Maintenance
a Department of Trade
a Department of Finance
a Planning Commission
a Cadres Sector

under the Chairman of the Executive Committees and, in addition, in accordance with the specific features of the economy of the district, the district Soviets of Working People's Deputies set up the following Departments, subject to confirmation by the respective regional Soviets of Working People's Deputies:

a Department of the Municipal Economy
a Department of Local Industry,

625 Art. 74. The Ministry of Internal Affairs and the Ministry of State Security set up their Departments under the district Soviets of Working People's Deputies in accordance with the conditions of the district, on the basis of the laws of the USSR and the Ukrainian SSR and subject to confirmation by the corresponding regional Soviet of Working People's Deputies.

Art. 75. The Departments of the district Soviets of Working People's Deputies are subordinate in their activities both to the district Soviets of Working People's Deputies and their Executive Committees and to the corresponding Departments of the regional Soviets of Working People's Deputies.

633 Art. 76. The city Soviets of Working People's Deputies set up the following Departments of their Executive Committees:

a Department of Cultural and Educational Work
a Department of Public Health
a Department of the Municipal Economy
a Department of Public Education
a General Department
a Department of Social Maintenance
a Department of Trade
a Department of Finance
a Planning Commission
a Cadres Sector

under the Chairman of the Executive Committee and, in addition, in accordance with the specific features of the city's industry and its municipal and suburban economy,

a Department of Local Industry and
a Department of Agriculture.

Art. 77. The Departments of the city Soviets of Working People's Deputies are subordinate in their activities both to the respective city Soviets of Working People's Deputies and their Executive Committees and to the corresponding Departments of the district Soviets of Working People's Deputies or directly to the corresponding Departments of the regional Soviets of Working People's Deputies.

Art. 78. The Departments of city Soviets of Working People's Deputies of Kiev are subordinate in their activities both to the Kiev Soviet of Working People's Deputies and its Executive Committee as well as to the corresponding Ministry of the Ukrainian SSR directly.

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631 Art. 79. On the expiration of the terms of office of the regional, area, district, city settlement or village Soviets of Working People's Deputies, their executive and administrative organs retain their powers until the newly elected Soviets shall have formed new executive and administrative organs.

Chapter VI. The Budget of the Ukrainian Soviet Socialist Republic

652 646 [645] Art. 80. The state budget of the Ukrainian SSR is drawn up by the Council of Ministers of the Ukrainian SSR and submitted by it to the Supreme Soviet of the Ukrainian SSR for its approval.

Upon its approval by the Supreme Soviet of the Ukrainian SSR the state budget of the Ukrainian SSR is published for general information.

Art. 81. The Supreme Soviet of the Ukrainian SSR elects a Budget Commission, which reports its conclusions on the state budget of the Ukrainian SSR to the Supreme Soviet.

Art. 82. The report on the fulfilment of the state budget of the Ukrainian SSR is approved by the Supreme Soviet of the Ukrainian SSR and published for general information.

651 652 Art. 83. The budgets of the regional, area, district, city, settlement and village Soviets include the revenues from the local economy, deductions from the state revenues collected within their territory and likewise receipts from local taxes and imposts in amounts fixed by the laws of the USSR and the Ukrainian SSR.

Chapter VII. The Courts and the Procurator's Office

692 Art. 84. In the Ukrainian SSR justice is administered by the Supreme Court of the Ukrainian SSR, the Regional and Area Courts, the Special Courts of the USSR established by decision of the Supreme Soviet of the USSR, and the People's Courts.

[693] Art. 85. In all Courts cases are tried with the participation of people's assessors, except in cases specially provided for by law.

Art. 86. The Supreme Court of the Ukrainian SSR is the highest judicial organ of the Ukrainian SSR. The Supreme Court of the Ukrainian SSR is charged with the supervision of the judicial activities of all the judicial organs of the Ukrainian SSR.

[646] Art. 87. The Supreme Court of the Ukrainian SSR is elected by the Supreme Soviet of the Ukrainian SSR for a term of five years.

Art. 88. Regional and area courts are elected by regional and area Soviets of Working People's Deputies for a term of five years.

Art. 89. People's courts are elected by the citizens of the district on basis of universal, direct and equal suffrage by secret ballot for a term of three years.

695 [563] Art. 90. Judicial proceedings in the Ukrainian SSR are conducted in the Ukrainian language, persons not knowing the language being guaranteed every opportunity of fully acquainting themselves with the material of the case through an interpreter and likewise the right to use their own language in court.

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695 Art. 91. In all courts of the Ukrainian SSR cases are heard in public, unless otherwise provided for by law, and the accused is guaranteed the right to be defended by counsel.

693 Art. 92. Judges are independent and subject only to the law.

Art. 93. Supreme supervisory power to ensure the strict observance of the law by all Ministries and institutions subordinated to them, as well as by officials and citizens within the territory of the Ukrainian SSR generally, is exercised by the Procurator-General of the USSR directly and also through the Procurator of the Ukrainian SSR.

Art. 94. The Procurator of the Ukrainian SSR is appointed by the Procurator-General of the USSR for a term of five years.

Art. 95. Regional procurators are appointed by the Procurator-General of the USSR for a term of five years.

Art. 96. Area, district and city procurators are appointed by the Procurator of the Ukrainian SSR, subject to the approval of the Procurator-General of the USSR, for a term of five years.

Art. 97. The organs of the Procurator's Office perform their functions independently of any local organs whatsoever, being subordinate solely to the Procurator-General of the USSR.

Chapter VIII. Fundamental Rights and Duties of Citizens

641 Art. 98. Citizens of the Ukrainian SSR have the right to work, that is, are
461 guaranteed the right to employment and payment for their work in accordance with its quantity and quality.

The right to work is ensured by the socialist organization of the national economy, the steady growth of the productive forces of Soviet society, the elimination of the possibility of economic crises and the abolition of unemployment.

Art. 99. Citizens of the Ukrainian SSR have the right to rest and leisure.

[466] The right to rest and leisure is ensured by the fixing of the working day for factory and office workers at eight hours and the reduction of the working day to seven or six hours for arduous trades and to four hours in workshops where conditions of work are exceptionally arduous; by the institution of annual vacations with full pay for factory and office workers; and by the provision of a wide network of sanatoria, rest-homes and clubs for the accommodation of the working people.

641 Art. 100. Citizens of the Ukrainian SSR have the right to maintenance in old age and also in case of sickness or disability.

657 This right is ensured by the extensive development of social insurance of factory and office workers at State expense, free medical service for the working people, and the provision of a wide network of health resorts for the use of the working people.

871 Art. 101. Citizens of the Ukrainian SSR have the right to education.

641 This right is ensured by universal compulsory elementary education; by free education up to and including the seventh grade; by the system of State stipends to students who have distinguished themselves in higher educational establishments; by instruction in schools being conducted in the native language; and by the organization in the factories, State farms and machine and tractor stations and collective farms of free vocational, technical and agronomic training for the working people.

[Ukrainian constitution as of Nov. 21, 1949]

641 Art. 102. Women in the Ukrainian SSR are accorded equal rights with men in all spheres of economic, State, cultural, social and political life.

[562] The possibility of exercising these rights is ensured to women by granting them an equal right with men to work, payment for work, rest and leisure, social insurance and education and by State protection of the interests of mother and child, State aid to mothers of large families and unmarried mothers, maternity leave with full pay and the provision of a wide network of maternity homes, nurseries and kindergartens.

[563] Art. 103. Equality of rights of citizens of the Ukrainian SSR, irrespective of their nationality or race, in all spheres of economic, State, cultural, social and political life, is an indefeasible law.

Any direct or indirect restriction of the rights of, or conversely, any establishment of direct or indirect privileges for, citizens on account of their race or nationality and also any propagation of racial or national exclusiveness, hatred and contempt - are punishable by law.

[659] Art. 104. In order to ensure to citizens freedom of conscience, the church in the Ukrainian SSR is separated from the State and the school from the church. Freedom of religious worship and freedom of anti-religious propaganda is recognised for all citizens.

Art. 105. In conformity with the interests of the working people, and in order to strengthen the socialist system, the citizens of the Ukrainian SSR are guaranteed by law:

(a) Freedom of speech;
(b) Freedom of the press;
(c) Freedom of assembly, including the holding of mass meetings;
(d) Freedom of street processions and demonstrations.

These civil rights are ensured by placing at the disposal of the working people and their organizations printing presses, stocks of paper, public buildings, the streets, communications facilities and other material requisites for the exercise of these rights.

[575] Art. 106. In conformity with the interests of the working people and in order to develop the organizational initiative and political activity of the masses of the people, citizens of the Ukrainian SSR are ensured the right to unite in public organizations — trade unions, co-operative associations, youth organizations, sport and defence organizations, cultural, technical and scientific societies; and the most active and politically conscious citizens in the ranks of the working class and other sections of the working people unite in the Communist Party of the Soviet Union (Bolsheviks), which is the vanguard of the working people in their struggle to strengthen and develop the socialist system and is the leading core of all organizations of the working people, both public and State.

[694] Art. 107. Citizens of the Ukrainian SSR are guaranteed inviolability of the person. No person may be placed under arrest except by decision of a court or with the sanction of a procurator.

Art. 108. The inviolability of the homes of citizens and privacy of correspondence are protected by law.

Art. 109. The Ukrainian SSR affords the right of asylum to foreign citizens persecuted for defending the interests of the working people, or for their scientific activities, or for their struggle for national liberation.

[UKRAINIAN CONSTITUTION AS OF NOV. 21, 1949]

641 Art. 110. It is the duty of every citizen of the Ukrainian SSR to abide by the Constitution of the Ukrainian SSR, to observe the laws, to maintain labour discipline, honestly to perform public duties, and to respect the rules of socialist intercourse.

685 Art. 111. It is the duty of every citizen of the Ukrainian SSR to safeguard and strengthen public socialist property as the sacred and inviolable foundation [421] of the Soviet system, as the source of the wealth and might of the country, as the source of the prosperity and culture of all the working people.

Persons committing offences against public, socialist property are enemies of the people.

Art. 112. Universal military service is law.

Military service in the ranks of the Armed Forces of the USSR is an honourable duty of the citizens of the Ukrainian SSR.

[687] Art. 113. To defend the fatherland is the sacred duty of every citizen of the Ukrainian SSR. Treason to the country — violation of the oath of allegiance, desertion to the enemy, impairing the military power of the State, espionage — is punishable with all the severity of the law and is the most heinous of crimes.

Chapter IX. The Electoral System

666 Art. 114. Members of all Soviets of Working People's Deputies — of the Supreme Soviet of the Ukrainian SSR and of the Soviets of Working People's Deputies of regions, areas, districts, cities, settlements and villages — are chosen by the electors on the basis of universal, direct and equal suffrage by secret ballot.

Art. 115. Elections of deputies are universal: all citizens of the Ukrainian SSR who have reached the age of 18, irrespective of race, or nationality, sex, religion, educational or residential qualifications, social origin, property status or past activities, have the right to vote in the election of deputies and to be elected, with the exception of insane persons and persons who have been convicted by a court of law and whose sentences include deprivation of electoral rights.

[641] Every citizen of the Ukrainian SSR who has reached the age of 21, irrespective of race, or nationality, sex, religion, educational or residential qualifications, social origin, property status or past activities may be elected as a deputy of the Supreme Soviet of the Ukrainian SSR.

Art. 116. Elections of deputies are equal: each citizen has one vote; all citizens participate in elections on an equal footing.

[562] Art. 117. Women have the right to elect and be elected on equal terms with men.

Art. 118. Citizens serving in the ranks of the Armed Forces of the USSR have the right to elect and be elected on equal terms with all other citizens.

Art. 119. Elections of deputies are direct: all Soviets of Working People's Deputies from the Soviets of Working People's Deputies of villages and cities to the Supreme Soviet of the Ukrainian SSR, inclusive, are elected by the citizens by direct vote.

Art. 120. Voting at elections of deputies is secret.

[UKRAINIAN CONSTITUTION AS OF NOV 21, 1949]

Art. 121. Elections of deputies to Soviets of Working People's Deputies of the Ukrainian SSR are held by election districts on the following bases:

in elections to regional Soviets - one deputy for every 15,000 to 30,000 of the population, depending upon its size;

in elections to district and area Soviets - one deputy for every 1,000 of the population; in a district or area whose population does not exceed 25,000, twenty-five deputies are elected, and in a district or area whose population exceeds 60,000, not more than sixty deputies are elected;

in elections to city Soviets or city district Soviets - one deputy for every 350 to 900 of the population, depending upon its size; in a city or city district whose population does not exceed 12,000, thirty-five deputies are elected;

in elections to the Kiev and Kharkov city Soviets - one deputy for every 1,000 of the population;

in elections to village or settlement Soviets - one deputy for every 100 of the population; in a village or settlement whose population does not exceed 1,000, nine deputies are elected, and where the population exceeds 2,500, not more than twenty-five deputies.

The basis of representation for each regional, district, city, village and settlement Soviet of Working People's Deputies is fixed in the "Ordinance Concerning Elections to Regional, District, City, Village and Settlement Soviets of Working People's Deputies of the Ukrainian SSR," within the range of the bases of representation indicated in the present article.

Art. 122. Candidates for elections are nominated according to electoral district.

The right to nominate candidates is secured to public organizations and societies of the working people: Communist Party organizations, trade unions, co-operatives, youth organizations and cultural societies.

Art. 123. It is the duty of every deputy to report to his electors on his work and on the work of the Soviet of Working People's Deputies, and he is liable to be recalled at any time upon decision of the majority of the electors in the manner established by law.

Chapter X. Arms, Flag, Capital

Art. 124. The state arms of the Ukrainian SSR are a sickle and hammer of gold in relief, placed crosswise, handles down against a red background in the rays of the rising sun, and surrounded by ears of wheat, which are placed symmetrically, from bottom to top, forming a circle. Between the tops of the ears of wheat is a red star. At the bottom of the wreath are the words, "Ukrainian SSR" on a red band, and at the bottom of the ears of corn the words, "Workers of all Countries United!" in the Russian language on the right, and in the Ukrainian language on the left.

Art. 125. The state flag of the Ukrainian SSR is of cloth divided into two horizontal bands of color: the upper band, in red, is two-thirds of the width of the flag, and the lower band, in azure, is one-third of the width of the flag. In the upper part of the flag, about one-third of the distance from the staff, are a hammer and sickle of gold and above them a five-pointed star with a gold border.

The relation of width to length of the flag is 1:2.

Art. 126. The Capital of the Ukrainian SSR is the City of Kiev.

Chapter XI. Procedure for Amending the Constitution

Art. 127. The Constitution of the Ukrainian SSR may be amended only by decision of the Supreme Soviet of the Ukrainian SSR adopted by a majority of not less than two-thirds of the votes of the Supreme Soviet.

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[For the complete text of the Constitution of the Ukrainian Soviet Socialist Republic of January 30, 1937 as amended through November 21, 1949, see category 116, entire source.]